



INTELLECTUAL PROPERTY
402-391-4448

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June ¹⁰~~12~~, 2006

10328 PINEHURST AVE.
OMAHA, NEBRASKA 68124

Commissioner for Patents
Box: 1450
Alexandria, VA 22313-1450

RE: APPLICATION OF JOHS ET AL. TITLED: "ROTATING OR ROTATABLE
SPECTROSCOPIC ELLIPSOMETER SYSTEM INCLUDING MULTIPLE ELEMENT
LENSES";
SERIAL NO.: 10/829,620;
FILE DATE: 04/22/2004;
ART UNIT: 2877;
EXAMINER: ISIAKA O. AKANBI.

Dear Sir;

I am in receipt of a Notice of Non-Compliant Amendment dated
06/05/06 regarding the identified Application.

Said Action cites the need to provide full paragraphs when
Amending the Specification and that Claims were not provided with
proper Identifier.

As there were no Amendments requested as regards the
Specification, all that a review of the Response Filed 05/22/06
has determined is that the word "presently" was used instead of
"currently" as regards Amended Claims 1, 5 and 7. If there is
anything else non-compliant about the previously filed Response
it is not apparent from a review of records at this location.

I am attaching a copy of the previously Filed portion of the
Response of 05/22/06 that provided Amendments to Claims, with the
word "presently" replaced with "currently" as regards Amended
Claims 1, 5 and 7. I really have to wonder however, if this is
really a necessary exercise and justified use of PTO resources.
I will, of course, respond to such as the present action, but
wonder why such a minor technicality justifies the effort.

Sincerely,

JAMES D. WELCH
JW/hs

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS TRANSMITTAL IS BEING DEPOSITED WITH
THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE FOR
FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE COMMISSIONER FOR
PATENTS, BOX: 1450, ALEXANDRIA VA. 22313-1450 ON THE DATE
INDICATED BELOW.

JAMES D. WELCH

6/10/06
DATE